

Avoiding Frauds and Deception¹

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Victims must be cautious about employing strangers to remove trees and do repair work. Every agreement and credit contract should be read carefully and evaluated before it is signed. Shoddy workmanship and price gouging are common in crises.

Make sure the contractor holds a proper license by contacting the Department of Business and Professional Regulation at (850) 487-1395 or <http://www.myfloridalicense.com/dbpr/>. Beware of door-to-door salesmen and sound alike names. Sometimes undependable workers enter a damaged area, make cheap repairs, and leave before the residents discover that the repairs are inadequate. If your local contractor cannot do the work, ask them to recommend someone.

Make sure the contractor is insured and bonded. Uninsured workers may have the right to sue you if they are injured on your property.

Never let anyone begin working on your home or business without first establishing a written contract. Don't let anyone rush you into a deal.

Only donate or request disaster assistance through a reputable accountant, financial counselor/planner, bank, credit union or non-profit organization. Do not give information out over the telephone.

Tree Removal

When the storm is over, workers may appear with chain saws eager to make a "fast buck" removing trees and other damaged property.

Tree removal requires great skill; the best bet is to contact local tree services. Improperly felled trees can damage your home or a neighbor's. Also, the tree cutter may be injured. Professional tree services are licensed, insured and experienced; they carry liability insurance protecting the homeowner from a lawsuit in case of an accident.

Ask for a cost estimate of the work and a schedule for completion of the work. Will the trees will be removed from your property after they are cut. Try to get estimates from more than one tree service. All details of the agreement should be in a contract and signed by tree service and homeowner. If there is much local damage, tree services from throughout the region may come to help clear.

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Before employing one of these companies ask to see its license and evidence of liability insurance. Get all pertinent information in a written contract before employing anyone and before work begins.

If you decide to employ an independent tree cutter in spite of the risks involved, draw up a written contract that clearly spells out the work to be done (e.g., number of trees to be cut, stump height or treatment, what is to be done with the cut trees and by whom, beginning and completion date of work and amount to be paid and when). NEVER pay for work before it is done. Include a statement about who is responsible for expenses in case of an accident. This should include what happens if the worker damages your property accidentally and who pays if the worker is accidentally injured. This statement is no assurance of protection but it may help.

Home Repairs

The homeowner should immediately contact his/her insurance company, if the home is insured. The insurance company may require specific procedures be followed to collect for repairs.

If the homeowner is responsible for arranging for the repairs there are certain precautions to follow. Take time to investigate the work quality and reliability of the home repair contractor or the worker that you are considering hiring. Shoddy work will only increase your loss and frustration. Ask to see any applicable licenses. Always get any agreement in writing, signed by both parties before work begins. Verbal agreements can be misunderstood and usually are unenforceable.

Contracts for home improvement projects should include the following information:

- Approximate date for beginning the work and the completion date unless a specific disclosure states that no completion date is provided (Always require a completion date be given.).
- A description of the work to be done (Always require this to be detailed, describing the materials and grades to be used as well as the repairs to be made.).
- All financing information required by state and federal laws.
- Any warranty agreements.

- Name and address of contractor and person for whom work is to be done.

Never sign a completion certificate until all work is satisfactorily done. Also, never pay a home repair contractor or a worker for work before it is done. If considerable work is to be done you may divide the cost for the work to be done into several payments, paying one half the cost when the job is half done, for example.

Landlords and Tenants

If you are renting a residence that is damaged, you have special rights and responsibilities. Repairs are the responsibility of the landlord. You should immediately notify the landlord of any damage to the property and make reasonable efforts to help protect it from any additional damage. The landlord is responsible for having the residence repaired and returned to livable condition. If repairs are not made within a reasonable time, the tenant has the right to reduced rent, or perhaps to terminate the lease and move.

Sources for This Publication

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Fact Sheet HE-5040

Institute of Food and Agricultural Sciences, University of Florida

Beware of Fraud After Disasters

University of Illinois Extension

Access on the Web at: <http://web.extension.illinois.edu/disaster/PDF/fraud2.pdf>